**IN THE HIGH COURT OF UTTARAKHAND**
**AT NAINTAL**

**Writ Petition No. 974 (S/S) of 2005**

1. Smt. Chunni Devi W/o Late Sri Rajendra Singh Bhandari
2. Hemant Singh S/o Late Rajendra Singh Bhandari
3. Master Basant Singh (Minor)
4. Master Santosh Singh (Minor)

Respondents No. 3 and 4 are minors through their natural guardian mother Smt. Chunni Devi
All resident of village – Zalli, (Ghalsali) P.O. Garhkot,
Patti – Malla Dhangu, Tehsil – Lansdowne,
District Pauri Garhwal

------- Petitioners

Versus

1. General Manager, Punjab National Bank
   Head Office 5 Parliament Street, New Delhi
2. Branch Manager, Punjab National Bank,
   Dhagu Branch Chalusain, District Pauri Garhwal
3. Smt. Shakambari Devi W/o Late Rajendra Singh
4. Rajani (Minor) daughter of Late Rajendra Singh
5. Krishna (Minor) daughter of Late Rajendra Singh
6. Aarti (Minor) daughter of Late Rajendra Singh
7. Vivek Singh (Minor) son of Late Rajendra Singh

Respondent Nos. 4 to 7 are minors throught their natual guardian mother Smt. Shakambari Devi
Respondent Nos. 3 to 7 are resident of village – Zalli
(Ghansali) Tehsil – Lansdowne district Pauri Garhwal

------- Respondents

**Hon'ble M.M. Ghildiyal, J.**

Heard Sri Raman K. Shah, learned counsel for the petitioners and Sri Jagdish Bisht holding brief of Sri Sharad Sharma, learned counsel for the respondent nos. 1 and 2.

By means of this writ petition, the petitioners have prayed for the following relief:

1. Issue a writ, order or direction in the nature of mandamus directing the respondent nos. 1 and 2 to release the death

cum retiremental benefits and pension in favour of the petitioner nos. 2, 3 and 4.

2. Issue a writ, order or direction in the nature of mandamus directing to respondent nos. 1 and 2 to provide employment to the petitioner no. 2 under the Dying-in-Harness Rules.

3. Issue any suitable writ, order or direction in the nature of which this Hon'ble Court may deem fit and proper in the circumstances of the case.

4. Award the cost of the writ petition to the petitioners.

The stand of the petitioners is that the husband of the petitioner no. 1 and father of petitioner nos. 2, 3 and 4, Late Sri Rajendra Singh Bhandari, was employed as Peon in the Bank of respondent no. 2. Late Sri Rajendra Sigh Bhandari died on 10.05.2000. Respondent no. 3 is the first wife of Late Sri Rajendra Singh Bhandari and respondent nos. 4, 5, 6 and 7 are children of respondent no. 3.

The respondent Bank has released all retrial benefits of Late Sri Rajendra Singh Bhandari in favour of respondent nos. 3, 4, 5, 6 and 7, whereas petitioner nos. 2, 3, and 4 were also entitled to get the amount of retrial benefits.

The petitioners may avail appropriate remedy for redressal of their grievances. The retrial benefits have already been paid by the respondent Bank to the first wife and her children in accordance with law.

The writ petition lacks merit and as such is dismissed.

**(M.M.Ghildiyal, J.)**

**08.05.2007**
**VKS**